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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/764,785	01/26/2004	Frank V. Linker II	23104.PUS	9757

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EXAMINER

CHIN, PAUL T

ART UNIT PAPER NUMBER

3652

DATE MAILED: 01/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

***Response to Amendment***

1. The reply filed on October 26, 2005, is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): the applicant's remark or argument does not clearly explain the rejection under 112 first paragraph and second paragraph. Applicant argues that "it is not required the technical phenomena be understood even though in the present instance the manner of creating the vacuum zones is clearly described". The argument is not persuasive and fails to clearly explain as to how "the impeller" distributing "air over the top surface" would create a second zone". Moreover, the given example of "an airplane" is not persuasive because "an airplane" is a fast moving object creating a vacuum behind its wing whereas the vacuum pickup device is not a moving object. Instead, the impeller However, the impeller circulates air over the top surface of the paddle (see, 2<sup>nd</sup> paragraph of page 9). See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PAUL T. CHIN whose telephone number is (571) 272-6922. The examiner can normally be reached on MON-THURS (7:30 -6:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, EILEEN LILLIS can be reached on (571) 272-6928. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3652

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



PAUL T. CHIN  
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Art Unit 3652